

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

CONSERVATION LAW FOUNDATION, INC.,)

Plaintiff,)

v.)

Civil Action No. 1:18-cv-00996-PB

GLENN NORMANDEAU, in his official capacity)
as Executive Director of the New Hampshire)
Fish and Game Department, *et al.*,)

Defendants.)

**CONSERVATION LAW FOUNDATION’S MOTION FOR LEAVE
TO FILE A REPLY TO DEFENDANT’S OBJECTION TO PLAINTIFF’S
MOTION TO EXCLUDE THE OPINION TESTIMONY OF MATTHEW PEHRSON**

Pursuant Local Rule 7.1(e)(2), Plaintiff Conservation Law Foundation Inc. (“CLF”), by and through its attorneys, hereby respectfully moves for leave to file a Reply to Defendant’s Objection to Plaintiff’s Motion to Exclude the Opinion Testimony of Matthew Pehrson (ECF No. 49). In support of this motion, CLF states as follow:

1. On October 4, 2019, Defendants submitted to CLF their Disclosure of Non-Retained Expert, disclosing that Defendants would call Matthew Pehrson to testify at trial and that Mr. Pehrson would potentially offer opinion testimony, and summarizing the opinions Mr. Pehrson would offer.

2. On November 27, 2019, CLF filed a Motion to Exclude the Opinion Testimony of Matthew Pehrson (ECF No. 42).

3. On December 11, 2019, Defendants filed an Objection to CLF’s Motion. (ECF No. 49).

4. The Court may benefit from citations to case law that clarify this issue. Accordingly, CLF requests leave to file the proposed Reply memorandum provided herewith as Exhibit 1.

5. CLF sought Defendants' assent to this Motion. Defendants take no position on the Motion.

6. The relief requested herein is well within the sound discretion of the Court. No memorandum of law is appended to this Motion as it would be unnecessary to its resolution.

WHEREFORE, CLF respectfully requests that the Court grant it leave to file the proposed Reply to Defendants' Objection to Plaintiff's Motion to Exclude the Opinion Testimony of Matthew Pehrson, provided as Exhibit 1, and grant such other relief as it deems appropriate and just.

Respectfully Submitted,

CONSERVATION LAW FOUNDATION, INC.

By its attorneys:

Dated: December 18, 2019

/s/ Kenta Tsuda

Kenta Tsuda, *Admitted Pro Hac Vice*
Chelsea E. Kendall, *Admitted Pro Hac Vice*
CONSERVATION LAW FOUNDATION, INC.
62 Summer St.
Boston, MA 02110
(617) 850-1712
(617) 850-1792
ktsuda@clf.org
ckendall@clf.org

Thomas F. Irwin, Esq.
N.H. Bar No. 11302
CONSERVATION LAW FOUNDATION, INC.
27 North Main Street
Concord, NH 03301
(603) 225-3060
tirwin@clf.org

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2019, the foregoing document was filed through the ECF system, by which means a copy of the filing will be sent electronically to all parties registered with the ECF system.

/s/ Kenta Tsuda
Kenta Tsuda